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THE ATOMIC ENERGY ACT,

(CAP. 188)

REGULATIONS

(Made under section 70)

THE ATOMIC ENERGY (CONTROL OF RADIATION IN FOOD CHAIN AND RELATED
COMMODITIES) REGULATIONS, 2023

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(CAP. 188)

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(Made under section 70)

THE ATOMIC ENERGY (CONTROL OF RADIATION IN FOOD CHAIN
AND RELATED COMMODITIES) REGULATIONS, 2023

PART I
PRELIMINARY PROVISIONS

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| Citation | 1. These Regulations may be cited as the Atomic Energy (Control of Radiation in Food Chain and Related Commodities) Regulations, 2023. |
| Application | 2. These Regulations shall apply to all food chain and related commodities. |
| Interpretation | 3. In these Regulations, unless the context otherwise requires- |
| Cap.188 | “Act” means the Atomic Energy Act;
“animal feeds” means feeds intended for domestic animals;
“Commission” means the Tanzania Atomic Energy Commission established under section 5 of the Act;
“exporter” means is any person, company or entity which exports goods abroad for various purposes including business or aid;
“importer” means any person, company or entity which imports goods into the country for various |

purposes including business or aid;
“manufacturer” means any person, company or entity which produces food chain materials except a farmer or producer of seeds;
Minister” means the Minister responsible for matters relating to atomic energy; and
“processor” means a person, company or entity which transforms food materials into other form of food.

PART II
REQUIREMENT FOR OBTAINING RADIOACTIVITY ANALYSIS
CERTIFICATE

Contamination
analysis

4. A person shall not import, clear through customs or distribute for home consumption or for use as animal feeds any commodity prescribed in the First Schedule unless-

- (a) such commodity has been analysed in accordance with the provisions of the Act; and
- (b) a certificate has been issued certifying that the commodity is free from radioactive contamination or contains levels of contamination which are below the limits prescribed in the Second Schedule.

Clearance of food
chain and related
materials

5. Subject to section 30, any person who imports or exports any scheduled commodities shall produce a certificate in respect of every consignment prior to inward or outward clearance through customs as the case may be and clearance through customs shall not be effected unless a certificate has been issued in respect of the commodities.

Sampling

6.-(1) An exporter, importer, distributor, manufacturer, processor or donor including

Government departments as the case may be, shall make available to the Commission adequate samples of the scheduled commodities intended for exportation, importation or distribution.

(2) The sampling of commodities under these Regulations shall be carried out according to procedures prescribed in the guidelines issued by the Commission.

Restrictions on
importing,
exporting or
distribution of
contaminated food
chain or related
commodities

7.-(1) The Commission shall, in case of an import of an item specified in the First Schedule which has radiation level which exceeds the levels specified in the Second Schedule, remit those goods to the country of origin at the expense of the importer thereof.

(2) Where, after analysis, any food chain or related commodity intended for export is contaminated in excess of the acceptable radiation levels specified in the Second Schedule, such commodity shall not be exported and shall be treated as contaminated material and shall be disposed of as the Commission may direct.

Restriction on use
of boreholes and
water reservoirs

8.-(1) The owner of borehole or water reservoir shall not allow a borehole or reservoir to be used without prior radioactivity analysis carried out by the Commission.

(2) The Commission shall, in the event of a borehole or reservoir that was in use before the coming into effect of these Regulations, prescribe the manner through which the owner shall contact the Commission for the purpose of carrying out radioactivity analysis in respect of such borehole or reservoir.

(3) For the purpose of this regulation, "owner" includes the legal owner or any other person responsible for the management of the borehole or reservoir.

Radioactivity

9. The Commission shall, after completion of

certificate or
licence

analysis referred to in regulation 4 and satisfaction that the given commodity has met the specified standards, issue a certificate or licence thereof in the manner prescribed in the guidelines issued by the Commission.

Fees

10. The Commission shall charge fees in respect of radioactivity services it renders under these Regulations at the rates prescribed in the Fees and Charges Regulations:

GN. No.
478 of 2022

Provided that, the Commission may prescribe different fees in respect of food chain or related materials intended for humanitarian aid.

PART III GENERAL PROVISIONS

Duty to comply
with directions
of Commission

11. For the purpose of carrying into effect the objects of these Regulations, an importer, exporter, distributor, manufacturer or processor of any scheduled commodity shall comply with the directions issued by the Commission in the exercise of its powers under these Regulations.

Offences and
penalties

12. A person who contravenes any provision of these Regulations commits an offence and shall, on conviction, be liable to the punishment prescribed in the Act.

Revocation of
Regulations
GN. No.
63 of 1998

13. The Protection From Radiation (Control of Radiation Contaminated Foodstuffs) Regulations, 1998 are hereby revoked.

FIRST SCHEDULE

(Made under regulation 4)

1. Milk (all types of milk and milk products)
2. Meat (all types of meat and meat products)
3. Fish (all types of fish and foods from water bodies)
4. Vegetables and edible oils
5. Fruits and fruit products
6. Wheat and wheat products
7. Tea
8. Rice
9. Mushrooms
10. Tobacco and related products for human consumptions
11. Animal feeds of all types
12. Water (all types of water including underground and reservoir waters)
13. Cigarettes
14. Drinks of all types
15. Beans and all types of legume
16. Maize and maize products and all types of cereals
17. Coffee and coffee products
18. Fertilizers
19. Biscuits, chocolates and sweets
20. Barley and barley products
21. Infant foods
22. Salt and sugar
23. Spices
24. Seeds of all types
25. Food supplements
26. Dual use food materials
27. All types of food chain and related commodities

SECOND SCHEDULE

(Made under regulation 4)

Intervention Level for Control of Food chain and related commodities

Levels for beta/gamma emitters: Bq/kg or Bq/l levels for actinides

A: ACTION LEVELS FOR CONTROL OF RADIONUCLIDES IN FOOD CHAIN AND RELATED COMMODITIES

Products name	Radionuclide	Action Level (Bq/kg)
Infant foods* (foods intended for consumption by infants))	^{238}Pu , ^{239}Pu , ^{240}Pu , ^{241}Am	1
	^{90}Sr , ^{106}Ru , ^{129}I , ^{131}I , ^{235}U	100
	$^{35}\text{S}^{**}$, ^{60}Co , ^{89}Sr , ^{103}Ru , ^{134}Cs , ^{137}Cs , ^{144}Ce , ^{192}Ir	1000
	$^3\text{H}^{***}$, ^{14}C , ^{99}Tc	1000
Foods other than infant foods	^{238}Pu , ^{239}Pu , ^{240}Pu , ^{241}Am	10
	^{90}Sr , ^{106}Ru , ^{129}I , ^{131}I , ^{235}U	100
	$^{35}\text{S}^{**}$, ^{60}Co , ^{89}Sr , ^{103}Ru , ^{134}Cs , ^{137}Cs , ^{144}Ce , ^{192}Ir	1000
	$^3\text{H}^{***}$, ^{14}C , ^{99}Tc	10000

B: ACTION LEVELS FOR CONTROL OF RADIONUCLIDES IN DRINKING WATER

Radionuclides*	Action Level (Bq/l)
^3H	10000
$^{14}\text{C}^{**}$	100
^{90}Sr , ^{131}I , ^{134}Cs , ^{137}Cs , $^{238}\text{U}^{***}$	10
^{226}Ra , ^{228}Th , ^{230}Th , ^{232}Th , ^{234}U , ^{239}Pu , ^{241}Am ,	1
^{210}Pb , ^{210}Po , ^{228}Ra	0.1

*The above limits shall apply save for limits prescribed by the Commission which shall apply during radiological emergencies.

Dodoma,
27th May, 2023

ADOLF F. MKENDA
Minister for Education, Science and Technology